



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, R.I. 02879-1900

(401) 783-3370
FAX: (401) 783-3767

In accordance with notice to members of the Rhode Island Coastal Resources Management Council's Planning and Procedures subcommittee, a meeting of the subcommittee was held on Tuesday, August 19, 2008 at Coastal Resources Management Council, Stedman Government Center, 4808 Tower Hill Road, Wakefield, RI.

MEMBERS PRESENT

Michael M. Tikoian, Chair
Paul Lemont, Vice Chair
Don Gomez

STAFF PRESENT

Jeff Willis, Deputy Director
James Boyd, Coastal Policy Analyst
Laura Ricketson Dwyer, Public Ed/Outreach Coord
Brian Goldman, Legal Counsel

OTHER ATTENDEES

Wendy Waller, Save the Bay

Call to Order. Mr. Tikoian called the meeting to order at 8:45 a.m.

The Chair thanked everyone for accommodating the change in venue and time of the meeting and expressed his appreciation for their commitment to the subcommittee.

The Chair opened the meeting and asked for a motion to approve the May 20, 2008 meeting minutes.

Mr. Gomez seconded by Mr. Tikoian moved to approve the meeting minutes of May 20, 2008. Mr. Gomez and Mr. Tikoian voted in favor of the motion to approve, with Mr. Lemont abstaining because he was not present at said meeting.

Item 4.A – Management Procedures – Section 4.3.2(t) – Schedule of Fees: CAD Cell Disposal Fees.

J. Willis explained that the fee for commercial disposal of dredged materials into the CAD cells was proposed to be raised to \$17.00 due to the trend of steady and increased such activity from these facilities, whose volumes are substantial. Staff concerns regarding cell capacities were also discussed.

Mr. Lemont, seconded by Mr. Gomez, moved to approve the proposed changes as presented. All voted in favor of the motion to approve.

Item 4.B – Salt Pond & Narrow River SAMPs – Sections 920.1.A.2(e) of both & Sections

920.1.B.2(f) of both. J. Willis explained that these sections, identical in both sections for Self Sustaining Lands and Lands of Critical Concern respectively, were proposed to clarify certain and specific instances of subdivisions would not be subject to a Special Exception requirement but would be subject to a Variance requirement. Mr. Lemont stated that this was a good proposed revision.

Mr. Lemont, seconded by Mr. Gomez, moved to approve the proposed changes as presented. All voted in favor of the motion to approve.

Item 4.C – Redbook – Section 300.3 – Residential, Commercial, Industrial and Recreational

Structures. J. Willis presented the proposed revisions and explained that staff believes that commercial and industrial structures and operations in tidal waters (ie: commercial piers such as Wilkes-Barre; any of the State Piers; or commercial fishing facilities, for example) could be better managed by modeling and incorporating a perimeter limit similar to that for marinas (ie: the Marina Perimeter Limit as detailed in Section 300.4). The perimeter limit would bound the in-water structures. The proposed revisions are to create a definition and policy for such, with basic standards for implementation. More detailed standards for review and implementation are being vetted at the staff level and will be presented to the subcommittee at a future date.

The subcommittee agreed with the intent and Mr. Tikoian suggested that since these management tools are similar in structure but designed for different types of activities, it may be confusing to carry a similar name. It was suggested that the term to be used for these activities should be Structural Perimeter Limit (SPL) and references to it within Section 300.3 should be revised as such as appropriate.

Mr. Lemont, seconded by Mr. Gomez, moved to approve the proposed changes as presented and as revised by adding the phrase Structural Perimeter Limit (SPL) throughout as appropriate. All voted in favor of the motion to approve.

New Business. The Chair asked that for the next meeting presentations be made on the status of the three (3) SAMPs current undergoing development: the Ocean SAMP; the Metro Bay SAMP; and the Aquidneck Island SAMP. Basic issues the subcommittee would like to fully understand are: issue developments; timelines for completions; potential hurdles; and other SAMP-specific issues.

Mr. Gomez asked for a discussion on the recent RI Supreme Court ruling of Arnold v. Lebel vis-à-vis the state Administrative Procedures Act.

Mr. Lemont noted that the ROW subcommittee will be holding a hearing on issues relative to the CRMC-adopted Daunis ROW.

ADJOURNMENT. Mr. Gomez, seconded by Mr. Lemont, moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was promptly adjourned at 9:54 a.m.

Respectfully submitted by

DRAFT

Jeffrey M Willis, Deputy Director